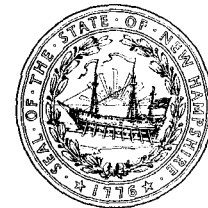




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

Mr. Raj Patel
Deep River Motor Inn
PO Box 95
Plymouth, New Hampshire 03264

LETTER OF DEFICIENCY
WMB PBF 04-14
August 6, 2004

Dear Mr. Patel:

The Department of Environmental Services, Water Division ("DES") is required by RSA 485-A:26 to operate a program to ensure the health and safety of the public when using public bathing facilities such as pools and spas. To implement this program, DES has adopted administrative rules Env-Ws 1101-1105 to specify the design, operation, and maintenance requirements for public bathing facilities. DES reviews applications for new public bathing facilities and also inspects and tests the water in existing public bathing facilities to ensure that applicable requirements are being met.

On August 3, 2004, DES inspected the pool at the Deep River Motor Inn in Plymouth, NH ("the Pool").

During this inspection, the following deficiencies were noted:

1. The inspection on August 3, 2004 revealed that the Pool was in violation of Env-Ws 1103.14 and unsafe for public use. The following bacterial violations were observed in the Pool water:
 - a. Pursuant to Env-Ws 1103.14(a)(1) the maximum allowable concentration of total coliform bacteria and *Escherichia coli* in public bathing facility water is zero counts per one hundred milliliters (0CTS/100mL). The Pool water contained 11 CTS/100mL of total coliform bacteria.
2. Env-Ws 1103.15(c) requires a free residual chlorine concentration between 1.0 mg/L and 3.0 mg/L in public pool water. The free chlorine residual of the Pool water ranged from 0.42 to 0.22 mg/L on August 3, 2004.
3. Env-Ws 1103.15(d) requires a pH between 7.0 and 7.8 in public pool water. The pH of the Pool water was 3.9 on November 1, 2004.
4. Pursuant to Env-Ws 1103.15(a), disinfection of pool water shall be achieved by positive displacement pump type unit providing hypochlorination or by an erosion unit using either hypo-chlorite or bromine tablets with control of the erosion rate. The Pool is currently being disinfected by hand feeding.
5. Env-Ws 1105.01(j) requires a rope with attached floats a ("breakpoint safety line") to be placed across public pools over the break in depth between the shallow and deep portions of the pool. A breakpoint safety line was not present in the Pool at the time of the inspection.
6. Env-Ws 1104.03(e)(1) states that the depth of water in feet shall be plainly and conspicuously marked at or above the water line on the vertical pool wall and on the top of the coping or edge of the deck or walk next to the pool. The depth of the Pool was not marked on the vertical pool wall of the Pool.
7. Env-Ws 1105.01(k)(19) requires pool filtration systems to include a flow meter. The filtration system for the Pool did not include a flow meter.

DES believes the cited deficiencies can be corrected prior to summer season 2005. A report outlining how compliance will be achieved with the cited deficiencies should be submitted to DES within 30 calendar days from receipt of this letter. The report should include the following:


1. A copy of two weeks of water quality test results for all facilities (please do not send originals).

Deep River Motor Inn
WMB PBF 04-14
August 6, 2004
Page 2

2. The type, manufacture, and model of the chlorine feeder to be installed.
3. The type, manufacture, and model of the flow meter to be installed.
4. A timetable of when:
 - a. the safety items will be in place;
 - b. the depth will be marked;
 - c. the installation of the chlorine feeder will be completed; and
 - d. the installation of the flow meter will be completed.

DES personnel will conduct another inspection at a later date to determine whether you have come into, and are maintaining, full compliance with RSA 485-A:26 and Env-Ws 1101-1105. After a violation of Env-Ws 1103.14, the facility will be required to pass two inspections in the following months. In the event that compliance is not achieved, DES may take further action, including seeking an administrative fine up to \$2,000 for each offense or referring the case to the NH Attorney General's Office for judicial action.

We appreciate your cooperation in this matter. Please contact Carrie Boudreau at (603) 271-7108 if you have any questions regarding this letter. Copies of Env-Ws 1101-1105 are available through the DES Public Information Center at (603) 271-2975 or via the Internet at <http://www.des.state.nh.us/pools/env1100.pdf>.

Sincerely,

Jody Connor
Limnology Center Director

cc: ✓Gretchen R. Hamel, Legal Unit Administrator, DES
Carrie Boudreau, Public Bathing Facility Inspector, DES
Tom Morrison, Health Officer, Town of Plymouth

Certified Mail # 7000 1670 0000 0588 5441

C:\Documents and Settings\mloskamp\Local Settings\Temporary Internet Files\OLK2A\LOD.04.14.doc